

NINETEENTH JUDICIAL DISTRICT COURT

PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 499-737

DIVISION: D

J. ROBERT WOOLEY, AS  
ACTING COMMISSIONER OF INSURANCE  
FOR THE STATE OF LOUISIANA  
VERSUS  
AMCARE HEALTH PLANS OF LOUISIANA, INC.

FILED: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**ORDER**

Considering the foregoing Motion and Incorporated Memorandum Requesting Approval of Settlement of Those Claims Asserted in the Lawsuit Pending in Federal Court in Oklahoma Involving MedImpact Healthcare Systems, Inc. and for Authority to File Proposed Settlement Agreement Under Seal, filed on behalf of AmCare Health Plans of Louisiana, Inc. In Liquidation, and the Court finding that the parties are entitled to the relief granted:

**IT IS ORDERED, ADJUDGED AND DECREED** that the Motion Requesting Approval of Settlement of Those Claims Asserted in the Lawsuit Pending in Federal Court in Oklahoma Involving MedImpact Healthcare Systems, Inc. and for Authority to File Proposed Settlement Agreement Under Seal, be and same hereby is GRANTED.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the proposed settlement with MedImpact Healthcare Systems, Inc. in the suit entitled, "*State of Oklahoma, ex rel. Kim Holland, Commissioner of Insurance for the State of Oklahoma, as Receiver for AmCare Health Plans of Oklahoma, Inc., and James J. Donelon, Acting Commissioner of Insurance for the State of Louisiana, in his capacity as Liquidator of AmCare Health Plans of Louisiana, Inc., in Liquidation v. MedImpact Healthcare Systems, Inc.*" case number CIV-06-529-T (the "pending federal court lawsuit"), be and hereby is APPROVED.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the proposed settlement agreement, **Exhibit A**, be filed under seal in this matter, until further order of this Court.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Receiver for AmCare Health Plans of Louisiana, Inc. In Liquidation be and hereby is authorized to enter into the proposed settlement agreement with MedImpact Healthcare Systems, Inc., as reflected in the proposed agreement attached as **Exhibit A**, and to sign such documents, to take such actions as may be required to accomplish the settlement, and to implement same, in the sole discretion of the Receiver.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the settlement is fair and equitable to, and resolution of the dispute is in, the best interests of all interested parties and claimants (including all creditors, members, subscribers and policyholders of AmCare-LA) and the public; that the Receiver has specific authority to release all claims pursuant to the terms of the proposed settlement agreement, as reflected in the proposed agreement attached as **Exhibit A**, and to dismiss the claims asserted against MedImpact Healthcare Systems, Inc. in the pending federal court lawsuit; that the Receiver has specific authority to execute the settlement agreements, as reflected in the proposed agreement attached as **Exhibit A**; that all creditors, claimants, and interested persons of AmCare Health Plans of Louisiana, Inc. In Liquidation are and will be bound by the settlement agreement, and that the claims of AmCare Health Plans of Louisiana, Inc. In Liquidation against MedImpact Healthcare Systems, Inc. in the federal court suit, as reflected in the proposed agreement attached as **Exhibit A**, be and hereby are deemed released as a result of this Court's finding of the fairness of the settlement and this Court's approval of the settlement, other than those matters related to Med Impact's proof of claim in the liquidation proceeding, which are still to be adjudicated and resolved.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Med Impact be and it hereby is required to make all payments due under the terms of the Settlement Agreement within fifteen (15) days of the date MedImpact is provided with a copy, either by United States mail, fax, or electronic transmission, of the order approving the proposed settlement signed by AmCare-Oklahoma and the AmCare-Louisiana Receivership Courts.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that notice of this motion and order and the Court's ruling be given by posting a copy of this motion and order and the Court's ruling on the Louisiana Department of Insurance website at [www.ldi.la.gov](http://www.ldi.la.gov); Office Directory; Receivership; Domestic Receivers in receivership-Open; AmCare Health Plans of Louisiana; Receivership Pleadings, and that such notice shall be deemed sufficient notice to all interested persons or entities.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the motion of the Receiver to certify this judgment as a final judgment pursuant to Louisiana Code of Civil Procedure article 1915 be and hereby is granted and this judgment is certified as a final judgment for purposes of appeal.

The Court, in accordance with Louisiana Civil Code Article 1915, designates this as a final judgment by the Court after an express determination that there is no just reason for delay since the judgment rendered by the Court herein dismisses all claims in the pending federal lawsuit as to MedImpact Healthcare Systems, Inc.

**THUS DONE AND SIGNED** this 22 day of April, 2008 at  
Baton Rouge, Louisiana.

  
JUDGE JANICE CLARK, NINETEENTH JUDICIAL DISTRICT COURT

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the above and foregoing document has been forwarded via First Class Mail, postage prepaid and properly addressed, to the following:

Kenneth N. Russak  
Frandzel, Robins, Bloom & Csato  
6500 Wilshire Boulevard  
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Michael Charles Guy  
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on this 21<sup>st</sup> day of April, 2008.



**CERTIFIED  
TRUE COPY**

APR 22 2009

BY

  
DEPUTY CLERK